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REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
068351.0110

In re Application of: Mark B. Lyles et al.

Application No.: 09/677,962

Filed: 10/03/2000

For: Porous Drug Delivery System

The owner*, MED USA, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,340,360 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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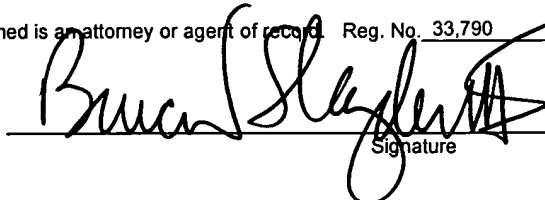
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